



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,616	11/09/2001	Wen-Lian Hsu	08919-063001/05A-880412	1040

26161 7590 03/17/2005

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

FERNANDES, CHERYL M

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/045,616	Applicant(s) HSU ET AL.	
	Examiner Cheryl M Fernandes	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/13/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed October 13, 2004. Claims 1-27 are presented for examination. Claims 1-25 have been amended. Claims 26 and 27 have been added.

Response to Arguments

2. Applicant's amendment to the abstract filed October 13, 2004 is acknowledged. Consequently, the objections to the abstract have been withdrawn.
3. Applicant's amendment to the drawings is acknowledged. Consequently, the objections to the drawings have been withdrawn.
4. Applicant's amendment to the specification is acknowledged. Consequently, the objections to the specification have been withdrawn.
5. Referring to the 35 USC 112 second paragraph rejection for claim 19, Applicant's amendments have been acknowledged. Consequently, the 35 USC 112 second paragraph rejection toward the claim has been withdrawn.
6. Applicant's arguments filed October 13, 2004 with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 24 recites the limitation "the corresponding contents" in the last paragraph of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1, 10, 19, 26 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Number 6,424,981 issued to Isaac et al (hereafter Isaac).

Referring to claim 1, Isaac discloses a method (Abstract; Field of Invention; col. 2, lines 9-17) comprising:

- identifying characteristic features of a web site ('persistent client state information', 'cookies', col. 6, lines 1-15 and 34-38; col. 7, lines 62-65; Fig. 5, element 116) from an input that specifies the web site (user navigation to a 'URL network address', col. 7, lines 50-59; Fig. 5, element 114; Fig. 3, element 82), the input including an information sample previously obtained from the web site (the

URL is the network address of a customizable HTML document at site; Fig. 2, element 58; Fig. 5, element 114; col. 7, lines 57-59);

- extracting contents from the web site based on the identified characteristic features and relevancy of the contents to the information sample ('customization options' for a user are retrieved according to the 'persistent client state information', col. 7, line 66 – col. 8, line 14); and
- updating a personalized web page with the contents (return 'customized HTML document in accordance with customization options', col. 8, lines 15-27; see Fig. 3-6).

Referring to claim 10, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a system (Isaac, Abstract; see Fig. 1 and 2), and therefore claim 10 is rejected for the same reasons as claim 1. In addition, claim 10 recites a display to display the personalized web page (Isaac, Fig. 1, element 30).

Referring to claim 19, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a computer program (Isaac, col. 4, lines 1-43), and therefore claim 19 is rejected for the same reasons as claim 1.

Referring to claims 26 and 27, Isaac discloses identifying characteristic features of the web site and information sample automatically (Abstract; Field of Invention; col. 6, lines 34-45).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 2, 4-8, 11,13-17, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,424,981 issued to Isaac et al (hereafter Isaac), as applied to claims 1,10 and 19 above, and further in view of US Pat No 5,983,227 issued to Nazem et al. (hereafter Nazem).

Referring to claims 2, 4-8, 11,13-17, 20 and 22, Isaac discloses all of the above claimed subject matter, and also (with reference to claims 2, 11, and 20) discloses repeatedly identifying, extracting and updating (See Fig. 3, elements 84-88).

However, Isaac remains silent as to:

- a frequency for identifying, extracting and updating, specified by an input, the frequency depending on how often the user accesses the webpage (claims 2, 11, and 20);
- identifying a topic keyword (claims 4 and 13);
- identifying a layout of the information sample (claims 5 and 14);
- identifying a domain keyword of the information sample (claims 6 and 15);
- identifying a semantic category of the information sample (claims 7 and 16);
- identifying an event in the input (claims 8 and 17);

- characteristic features including at least one of a topic keyword, a layout, a domain keyword, a semantic category, and an event (claim 22).

However, referring to claims 2, 4-8, 11, 13-17, 20 and 22, Nazem discloses analogous art that includes:

- a frequency, specified by an input, the frequency depending on how often a user accesses a webpage (claims 2, 11, and 20) (column 4, lines 43-47);
- identifying a topic keyword (claims 4 and 13) (column 6, lines 51-59);
- identifying a layout of an information sample (claims 5 and 14) (Figure 3, element 302);
- identifying a domain keyword of an information sample (claims 6 and 15) (column 2, line 67 and column 6, line 57);
- identifying a semantic category of an information sample (claims 7 and 16) (Figure 5A, element 504);
- identifying an event in an input (claims 8 and 17) (Figure 5A, element 504);
- characteristic features including at least one of a topic keyword, a layout, a domain keyword, a semantic category, and an event (claim 22)(topic keyword, column 6, lines 51-59).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Isaac to include a frequency, specified by an input,

the frequency, identifying characteristic features including a topic keyword, a layout, a domain keyword, a semantic category, and an event, as taught by Nazem.

The ordinary skilled artisan would have been motivated to modify Isaac per the above for the purpose of providing an improved system for delivering custom pages to a user wherein information is filtered according to each user's interest (Nazem, col. 1, lines 28-29 and 56-57).

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Isaac, in view of Nazem, as applied to claim 2 above, and further in view of US Publication Number 2002/0188503 by Banerjee et al. (hereafter Banerjee).

Referring to claim 3, the combination of Isaac/Nazem discloses all of the above claimed subject matter, however remains silent as to verification confirming the update and adding the corresponding contents into a training set.

However, Banerjee discloses analogous art that includes verification confirming an update and adding corresponding contents into a training set (pages 2-3, paragraph 21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Isaac/Nazem to include

verification confirming an update and adding corresponding contents into a training set, as taught by Banerjee.

The ordinary skilled artisan would have been motivated to modify the combination of Isaac/Nazem per the above for the purpose of maintaining a list of updates so that changes to the database can be tracked wherein the dynamic web pages would merge constantly-updated descriptions of bundles, stored in a database, with a web-page template, on the fly (Banerjee, pages 2-3, paragraph 21).

11. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isaac, as applied to claims 10 and 19 above, and further in view of Banerjee.

Referring to claims 12 and 21, Isaac discloses all of the above claimed subject matter, however remains silent as to verification confirming the update and adding the corresponding contents into a training set.

However, Banerjee discloses analogous art that includes verification confirming an update and adding corresponding contents into a training set (pages 2-3, paragraph 21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Isaac to include verification confirming an update and adding corresponding contents into a training set, as taught by Banerjee.

The ordinary skilled artisan would have been motivated to modify Isaac per the above for the purpose of maintaining a list of updates so that changes to the database can be tracked wherein the dynamic web pages would merge constantly-updated descriptions of bundles, stored in a database, with a web-page template, on the fly (Banerjee, pages 2-3, paragraph 21).

12. Claims 9, 18, 23, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isaac as applied to claims 1, 10, and 19 above, and further in view of US Patent Number 6006218 issued to Breese et al. (hereafter Breese).

Referring to claims 9, 18, and 23, Isaac discloses all of the above claimed subject matter, however remains silent as to assigning a score according to the degree of relevancy of the corresponding contents to the information sample.

However, Breese discloses analogous art that includes assigning a score according to a degree of relevancy of corresponding contents to information (column 13, lines 1-3).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Isaac to include assigning a score according to a degree of relevancy of corresponding contents to an information sample, as taught by Breese.

The ordinary skilled artisan would have been motivated to modify Isaac per the above for the purpose of determining the accuracy of a search whereby adjusting ranking values generated by a known search engine as a function of the knowledge probability estimates, the teachings of Breese reduces or eliminates the risk of locating known information near the top of a list of search results. This is advantageous since known information is generally of little interest to a user. In addition, Breese teaches ranking of the search results to give the user an opportunity to have the ranking of the search results accurately reflect the user's knowledge (Breese, Abstract).

Referring to claim 24, the combination of Isaac/Breese discloses comparing the topic keyword and layout of the corresponding contents with those of the information sample to determine the degree of relevancy (Breese, column 17 line 60 – column 18 line 2).

Referring to claim 25, the combination of Isaac/Breese discloses comparing the domain keyword, semantic category, event and layout of the corresponding contents with those of the information sample to determine the degree of relevancy (Breese, column 17, lines 60– 66).

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Fernandes who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMF
March 7, 2005


UYEN LE
PRIMARY EXAMINER